

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

THE EXCELLENT THE EXCELLENT RAJ K.
PATEL, from all capacities,

Plaintiff,

-against-

THE UNITED STATES and COLUMBIA
UNIVERSITY IN THE CITY OF NEW YORK,

Defendants.

24-CV-3392 (LTS)

ORDER OF DISMISSAL

LAURA TAYLOR SWAIN, Chief United States District Judge:

Plaintiff, who is appearing *pro se*, filed this action on April 24, 2024. In a prior action filed by Plaintiff, the undersigned, on January 9, 2024, barred Plaintiff from filing civil actions in this court *in forma pauperis* without first obtaining from the court leave to file. *See Patel v. Patel*, ECF 1:23-CV-8765, 17 (LTS) (S.D.N.Y. Jan. 9, 2024). In this new action, Plaintiff has filed a motion seeking leave to file this action. (ECF 4).

On May 2, 2024, Plaintiff filed a notice of voluntary dismissal (ECF No. 8), seeking to withdraw this action. The Court grants Plaintiff's request. This action is dismissed pursuant to Rule 41(a) of the Federal Rules of Civil Procedure. Should Plaintiff seek to refile this action, he must include a motion for leave to file the action.

CONCLUSION

Plaintiff's request (ECF No. 8) is granted. This action is voluntarily dismissed pursuant to Fed. R. Civ. P. 41(a). Should Plaintiff refile this action, he must comply with the January 9, 2024 order barring him from filing new actions *in forma pauperis* without first obtaining from the court leave to file.

The Clerk of Court is directed to terminate the motions at docket numbers 4 and 6. This order closes this case.

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore *in forma pauperis* status is denied for the purpose of an appeal. *Cf. Coppedge v. United States*, 369 U.S. 438, 444-45 (1962) (holding that an appellant demonstrates good faith when he seeks review of a nonfrivolous issue).

SO ORDERED.

Dated: May 9, 2024
New York, New York

/s/ Laura Taylor Swain

LAURA TAYLOR SWAIN
Chief United States District Judge